

BILLINGS, MT.

Tom Singer
Michael J. Johnson 2007 MAY 31 AM 3 27
Axilon Law Group, PLLC
115 North Broadway, Ste. 310 PATRICK E. BUFFY, CLERK
P. O. Box 987 BY _____
Billings, Montana 59103-0987 DEPUTY CLERK
Telephone (406) 294-9466
Facsimile (406) 294-9468

CLERK OF THE
DISTRICT COURT
JAMES A. BRENT

2006 JUL 7 PM 3 31

FILED
DEPUT

Attorneys for John Lenhart

MONTANA THIRTEENTH JUDICIAL DISTRICT COURT, YELLOWSTONE COUNTY

JOHN LENHART,

Plaintiff,

-VS-

GATES CORPORATION,

Defendant.

Cause No. DV 06-0695
Judge RUSSELL C. FAGG

CV-07-75-BLG-RFC.CSD
**COMPLAINT AND DEMAND FOR
JURY TRIAL**

120/157475

John Lenhart, plaintiff, alleges and complains as follows:

1. The name, address and telephone number of plaintiff are:

John Lenhart
4611 Harvest Lane
Billings, Montana 59106
(telephone: (406) 656-0743)

2. The name, address and telephone number of defendant are:

Gates Corporation
1551 Wewatta Street
Denver, Colorado 80202,
(telephone: (303)744-1911)

3. On October 14, 2005, plaintiff filed a complaint alleging workplace age discrimination with the Department of Labor and Industry Human Rights Commission of the state of Montana.
4. On April 10, 2006, plaintiff received a letter from the Human Rights Bureau dismissing the

- 1 complaint based on a no reasonable cause finding.
- 2 5. Plaintiff was employed as a District Sales Manager for Gates Corporation from 1989 until
- 3 April 15, 2005.
- 4 6. On April 15, 2005, plaintiff was terminated without notice or reason.
- 5 7. On the date of his termination, plaintiff was 58 years of age and was a member of a protected
- 6 class for the purposes of determining employment discrimination under both state and federal
- 7 law.
- 8 8. During the five years prior to termination, plaintiff had only three evaluations. All but one
- 9 evaluation described plaintiff's work as satisfactory. The one exception originally described
- 10 plaintiff as satisfactory but was later altered by defendant without plaintiff's knowledge.
- 11 9. Defendant terminated plaintiff on the basis of age in violation of federal and state law
- 12 10. Defendant replaced plaintiff with a substantially younger employee.
- 13 11. Defendant is engaged in a repeating pattern of terminating employees or forcing them to
- 14 resign on the basis of age.
- 15 12. Plaintiff was discriminated against by Defendant because of his age.

16 WHEREFORE plaintiff prays:

- 17 1. For an award for all damages allowed by law.
- 18 2. For attorney's fees and costs.
- 19 3. For other such relief as the Court may deem just.
- 20 4. Plaintiff demands trial by jury of all issues so triable.

21 23 DATED this 7th day of July, 2006.

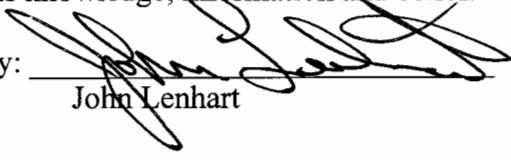
24 AXILON LAW GROUP

25 
Tom Singer
Michael J. Johnson

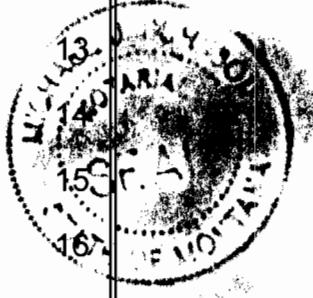
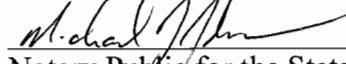
1 STATE OF MONTANA)
2 :ss
County of Yellowstone)

3 John Lenhart, being first duly sworn upon his oath, deposes and states as follows:

4 That he is the plaintiff in the foregoing instrument; that he has read the foregoing Complaint
5 and Demand for Jury Trial and knows the contents thereof, and the facts and matters contained
6 therein are true, accurate and complete to the best of his knowledge, information and belief.

7 By: 
John Lenhart

8
9
10 SUBSCRIBED AND SWORN TO, before me, a Notary Public, this 7th day of
11 July, 2006


12 
Notary Public for the State of Montana
13 MICHAEL J. JOHNSON
14 Printed Name of Notary
15 Residing At: Billings MT
16 My Commission Expires: 1-25-2010
17
18
19
20
21
22
23
24
25